

# EXHIBIT

“45”

**Tony Bisconti**

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**From:** Allen, Robert (USANYS) <Robert.Allen@usdoj.gov>  
**Sent:** Friday, January 6, 2017 6:32 AM  
**To:** Tony Bisconti; Tom Bienert  
**Cc:** Steven J. Katzman; Imperatore, Edward (USANYS); Sheinwald, Ellie (USANYS)  
[Contractor]  
**Subject:** RE: United States v. David Bergstein, 16-cr-746

Tony:

There are approximately 30,000 intercepts, split roughly evenly between calls and texts. We do not know the total collective length of the calls, although the number of calls includes a substantial number of calls that are not answered.

Bob Allen

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**From:** Tony Bisconti [mailto:[tbisconti@bmkattorneys.com](mailto:tbisconti@bmkattorneys.com)]  
**Sent:** Thursday, January 05, 2017 8:42 AM  
**To:** Allen, Robert (USANYS) <[RAllen@usa.doj.gov](mailto:RAllen@usa.doj.gov)>; Tom Bienert <[tbienert@bmkattorneys.com](mailto:tbienert@bmkattorneys.com)>  
**Cc:** Steven J. Katzman <[skatzman@bmkattorneys.com](mailto:skatzman@bmkattorneys.com)>; Imperatore, Edward (USANYS) <[EImperatore@usa.doj.gov](mailto:EImperatore@usa.doj.gov)>; Sheinwald, Ellie (USANYS) [Contractor] <[ESheinwald@usa.doj.gov](mailto:ESheinwald@usa.doj.gov)>  
**Subject:** RE: United States v. David Bergstein, 16-cr-746

Thank you, we will review once received.

Regarding the recordings made by Associate-1 that the Government will make available to us to review in your office, can you please provide a rough estimate of the total duration of those calls so that we can determine how long it will take to review them?

**Tony Bisconti**  
Bienert, Miller & Katzman, PLC

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**From:** Allen, Robert (USANYS) [<mailto:Robert.Allen@usdoj.gov>]  
**Sent:** Wednesday, January 4, 2017 2:45 PM  
**To:** Tom Bienert <[tbienert@bmkattorneys.com](mailto:tbienert@bmkattorneys.com)>  
**Cc:** Steven J. Katzman <[skatzman@bmkattorneys.com](mailto:skatzman@bmkattorneys.com)>; Tony Bisconti <[tbisconti@bmkattorneys.com](mailto:tbisconti@bmkattorneys.com)>; Imperatore, Edward (USANYS) <[EImperatore@usa.doj.gov](mailto:EImperatore@usa.doj.gov)>; Sheinwald, Ellie (USANYS) [Contractor] <[ESheinwald@usa.doj.gov](mailto:ESheinwald@usa.doj.gov)>  
**Subject:** United States v. David Bergstein, 16-cr-746

Tom, Steven and Tony:

Please see the attached letter, which was sent today.

All best.

Robert Allen  
Assistant United States Attorney  
Southern District of New York

212-637-2216 (Tel.)  
[Robert.Allen@usdoj.gov](mailto:Robert.Allen@usdoj.gov)